

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LENNIS MCGEE,

No. C 10-2132 WHA (PR)

Petitioner,

ORDER OF TRANSFER

vs.

GUILLERMO G. GARCIA,

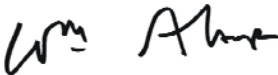
Respondent.

This is a habeas case brought pro se by a state prisoner to challenge denial of parole. Petitioner was convicted in San Diego County Superior Court, which is in the venue of the Southern District of California. *See* 28 U.S.C. § 84. Petitioner is incarcerated in Riverside County, which is in the Central District of California. *Ibid*.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction are preferably heard in the district of conviction. Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Because petitioner was convicted in San Diego County, this case is **TRANSFERRED** to the United States District Court for the Southern District of California. *See* 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b).

IT IS SO ORDERED.

Dated: June 25, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE